UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

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NOTICE OF DOCUMENT DISCREPANCIES

TO: ☑ U. S. DISTRICT JUDGE / ☐ U. S. MAGISTRATE JUDGE Gonzalez

FROM: C Puttmann, Deputy Clerk RECEIVED DATE: 6/2/2008

CASE NO.: 08mc77 DOCUMENT FILED BY: Plaintiff

CASE TITLE: Ivory-Bey

DOCUMENT ENTITLED: Affidavit of Extrodinary Writs

Upon the submission of the attached document(s), the following discrepancies are noted:

✓	*Local Rule*	*Discrepancy*
☐	5.1	Missing time and date on motion and/or supporting documentation
☐	5.3	Document illegible or submitted on thermal facsimile paper
☐	**5.4**	**Document not filed electronically. Notice of Noncompliance already issued.**
☐	7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
☐	7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
☐	7.1 or 47.1	Briefs or memoranda exceed length restrictions
☐	7.1	Missing table of contents
☐	15.1	Amended pleading not complete in itself
☐	30.1	Depositions not accepted absent a court order
☐		Supplemental documents require court order
☐		Default Judgment in sum certain includes calculated interest
X		OTHER:Case [redacted]closed per order of 3/11/2008 No further filings.

Date forwarded: 6/3/2008

ORDER OF THE JUDGE / MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

☐ The document is to be filed nunc pro tunc to date received.

☒ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? ☒ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: Gonzalez

Dated: 6/3/08

By: jm

cc: All Parties

K:\COMMON\FORMS\CIVCRM35.WPD
Form # Civ/Crim 35 (4/98) -- [Docuument Discrepancy / Court Order]

REJECTED

: Unika: Renee: Ivory-Bey:
In Care of
Non-domestic
THREE-FIVE-EIGHT-EIGHT K Street
San Diego, California, united States of America
DMM Reg. Sec. 122.32; Public Law 91-375, Sec.403

BEFORE THE DEJURE DISTRICT COURT OF THE UNITED STATES OF AMERICA [Pursuant to Art.3, Sec. 1-2, C.U.S.A.]

VIA-PASSAGIO

IN THE SOUTHERN DISTRICT OF CALIFORNIA [Art. 1, Sec.2, Clause 3, Art.4, Sec.4; and Title 28 USC, Chap.5]

AFFIDAVIT OF EXTRAORDINARY WRITS

WRIT OF ERROR CORAM NOBIS; WRIT OF EXECUTION; AND WRIT OF REPLEVIN; Case# 08mc77

COMES NOW the Affiant(s), The People-Posterity, and National Natural [>Aboriginal Natives and Allegiance} born Citizens of the United States of America Government, in the family of Nations **[according to the "Law of Nations": Art. 1, § 8, Clause. 10, C.U.S.A.]**, and the Sovereign Free Inhabitant and Constitutional Members, and Citizens of the Republican form of State Governments guaranteed in Art. 4,§ 4 of the Constitution of The United States, Unika R. Ivory-Bey , **[Amicus Curia, Preamble, Posterity, Prior Tempore Potior Jure, qualified and prior-entitled flesh-and-blood able to act as Priori Peteni.**

Respondents(s): Road One Towing

JURISDICTION

The Article III District Court of The United States of America pursuant to Article III § 1-2 C.U.S.A. has jurisdiction over this matter, and in accordance with Title 28, U.S.C. §1343(a)(l)(3); §1345; § 1330; § 1331; § 1361; § 1349; § 1358; and Amendment 7 of the C.U.S.A., and Rule 81 of Rules of Procedures. However, the "United States District Court" is not an Article III Court, **Balzac v. Porto Rico**, 258 U.S. 298; **Mookini v. United States,** 303 U.S. 201. Therefore, Affiants' are filing this action before the "district courts of the United States," contrary to that of the 'Territory Courts"> U.S. Inc.,> 28 U.S.C. § 3002(15). Public Law 89-719; Public Law 73-10; Code of Civil Procedure 3509-3548; Self- Help Repossession 9-609 of the Uniform Commercial Code; California Commercial Code 9609; All Writs Act 28 U.S.C.A. Sec. 1651.

DEFINITIONS:

1. **Nation.** **A people** possessing a common heritage, historical continuity, jural society, racial origin and speaking the same language. This presently includes Individuals of all complexions.

2. **People.** **A nation** in its collective and political capacity; Citizens, inhabitants, Representatives and issue.

3. **Natural born.** **[Aboriginal Preamble and Posterity] Citizen** of the United States: Const. Art 2, § 2, Clause 5> Title 8, U.S.C. § 1503(a)> Privileges and Immunities of the United States [Const. Art. 4, § 1 and the 14th Amendment, § 1, Sentence 2, et a1. and those natural-born within the Dominion, Sovereignty or Lordship, including the Affiant(s) Governmental Protections and Allegiance.

4. **HaKhdar** or Holder of a Right of the Qualified Elector and Common-Law Citizens of the United States of America, in the Family of Nations.

5. **Allegiance Citizen** [>a Prior-entitled Qualified Aboriginal Common Law Free Inhabitant of the United States, e.g., "Poster-Master".

6. **United States.** A Sovereign occupying the position analogous to that of other Sovereigns [or Lordship, including all National Government Protections and Allegiance.] in family of nations a.k.a. United States of America, as distinct from the United States of America in the United Nations.

7. **Family of Nations.** An aggregate of Nations which PREDATE (historical antecedents) colonial history and record keeping, having an inherited common [law] civilization, and ARE at a similar level of moral and political opinion. The Ancient nations who ordained and established the "Law of Nation", so written, in Art. 1, §8, Clause 10 of "this Constitution" and are bound thereby. **State v. Dixon**, 213 P. 227, 230 66 Mont. 76: **Yankee Atomic Electric Co. v. U.S.**, 112 F3d 1569: **Lore Silkman**, 84 NY.Y.S. 1025, 1030, 88 App. Div 102, citing **Scott V. Stanford**, 19 How. (60 U.S.) 404, L.Ed 691.

8. **Republican States.** Republican Nations Indigenous to the United States of [North] America and the Pre-colonial entry into The Americas; and now identified as the 13 [48, 50] original States whose Representatives constructed and signed "A Declaration" of July 4th, 1776, by the Representatives of the United States of America, in General Congress Assembled in 1776, who Announced "The Declaration of Independence" for the 12 United Colonies August 2nd, 1776 and ordained and established the General National Constitution(s) of and for the United States..

9. **Appearance-** A coming into court as party to a suit, either in person or by attorney, whether as plaintiff or defendant. The formal proceeding by which a defendant submits himself to the jurisdiction of the court. The voluntary submission to a court's jurisdiction. **A special appearance is for the purpose of testing the sufficiency of service or the jurisdiction of the court;** a general appearance is made where the defendant waives defects of service and submits to the jurisdiction. **Insurance Co. of North America v. Kunin, 175 Neb. 260,121 N.W. 2d 372, 375, 376.**

10. **Law of Necessity-** (maxim) Necessity overrules the law.

11. **Private-** Affecting or belonging to private individuals, as distinct from the public generally. Not official not clothed with office. People v. Powell, 280 Mich. 699, 274 N.W. 372, 373.

12. **Private International Law**- A name used by some writers to indicate that branch of the laws which is now more commonly called "conflict of laws" (q.v.)

13. **Private Law**- As used in contradistinction to public law, the term means all that part of the law which is administered between citizen and citizen, or which is concerned with the definition, regulation, and enforcement of rights in cases where both the person in whom the right inheres and the person upon whom the obligation is incident are private individual.

14. **All Writs Act**- Federal Act which permits federal appellate courts to "issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law" 28 U.S.C.A. Sec. 1651

14. **Writ of Error Coram Nobis**- A common-law writ, the purpose of which is to correct a judgment in the same court in which it was rendered, on the ground of error of fact, for which the statute provides no other remedy, which fact did not appear on the record, or was unknown to the court when judgment was pronounced, and which, if known , would have prevented the judgment, and which was unknown, and couldn't have been known to the party by the exercise of reasonable diligence in time to have been otherwise presented to the court, unless he was prevented from so presenting them by duress, fear, or other sufficient cause.

15. **Writ of Execution**- A writ to put in force judgment or decree of a court.

16. **Replevin**- An action whereby the owner or person entitled to repossession of goods or chattels from one who has wrongfully distrained or taken or who wrongfully detains such goods or chattels. Jim's Furniture Mart, Inc. v. Harris, 42 Ill. App. 3d 488, 1 Ill. Dec. 175, 176, 356 N.E. 2d 175, 176. Replevin is designed to permit one having right to possession to recover property in specie from one who has either wrongfully taken or detained property. Epps v. Cortese, D.C. Pa., 326 F. Supp. 127, 132.

17. **Self-Help**- Taking an action in person or by a representative with legal consequences, whether the action is legal or not; (Self-Help Repossession) - i.e. without judicial process of goods by creditor is permitted under U.C.C. 9-503 (now 9-609), if such can be done "without breach of the peace".

18. **Extrajudicial**- that which is done, given, or affected outside the course of regular judicial proceedings. Not founded upon, or unconnected with, the action of a court of law, as e.g. extrajudicial evidence, or an extrajudicial oath. That which, through done in the course of regular judicial proceedings, is unnecessary to such proceedings, or interpolated, or beyond their scope, as an extrajudicial opinion (dictum). That which does not belong to the judge or his jurisdiction, notwithstanding fact that he take cognizance of it.

19. **Extrajudicial Evidence**- that which is used to satisfy private persons as to facts requiring proof.

20. **Self-Executing Judgments-** Those requiring no affirmative action under process issued by the court to execute them.

21. **Special**- Relating to or designating a species, kind, individual, thing, or sort; designed for a particular purpose; confined to a particular purpose, object, person, or class. Unusual, extraordinary.

22. **Private Act**- Are those made by private persons as registers in relation to their receipts and expenditures, schedules, acquittances, and the like.

23. **Administrative Procedure Act-** (federal) law enacted in 1946 (60 Stat. 237, 5 U.S.C.A.) governing practice and proceedings before federal administrative agencies. (State) Individual states have enacted variations of the Federal Act, e.g. M.G.L.A. (Mass.) C. 30A. Such acts govern proceedings for State administrative agencies.

24. **Administrative Law**- Body of law created by administrative agencies in form of rules, regulations, orders, and decisions.

25. **Administrative Procedure**- methods and processes administrative agencies as distinguished from judicial procedure which applies to courts. Procedural rules and regulations of most federal agencies are set forth in the Code of Federal Regulations.

26. **Administrative Remedy**- Non-judicial remedy provided by agency, board, commission, or the like. In most instances, all administrative remedies must have been exhausted before a court will take jurisdiction of a case; e.g. U.S. District Courts will not consider a Social Security Case unless all hearing, appeal, etc. remedies before the Social Security Administration have been exhausted.

27. **Conflict of Laws**- Inconsistency or difference between the laws of different states or countries, arising in the case of persons who have acquired rights, incurred obligations, injuries or damages, or made contracts, within the territory of two or more jurisdictions. Hence, that branch of jurisprudence arising from the diversity of the laws of different nations, states or jurisdictions, in their application to rights and remedies, which reconciles the inconsistency, or decides which law system is to govern in the particular case, or settles the degree of force to be accorded to the law of another jurisdiction, (the acts or rights in question having arisen under it) either where it varies from the domestic law, or where domestic law is silent or not exclusively applicable to the case in point.

28. **Special Act**- A private statute; an act which operates only upon particular persons or private concerns. Unity v. Burrage, 103 U.S. 447, 454, 26 L. Ed. 405.

29. Special Execution- A copy of a judgment with a direction to the sheriff indorsed thereon to execute it. One that directs levy upon some special property.

30. **Special Law**- One relating to particular persons or things; one made for individual cases or for particular places or districts; one operating upon a selected class, rather than upon the public generally. A private law. A law is "special" when it is different from others of the same general kind or designated for a particular purpose, or limited in range or confined to a prescribed field of action or operation. A special law is one which relates to particular persons or things of a class, or which operates on or over a portion of a class instead of all the class. Ulrich v. Beatty, 139 Ind. App. 174, 216 N.E. 2d 737, 746. A special law applies only to an individual number of individuals out of a single class similarly situated and affected, or to a special locality. Board of County Com'rs of Lemhi County v. Swensen, Idaho, 80 Idaho 198, 327 P.2d 361, 362.

11. **National Constitution**. Free National Constitution includes, in part:

a. The Constitution of the United States.

b. The Constitution for the United States of America

c. The "Preamble" to and Article one though seven of the Constitution of/for the United States> including Article 6, sec. I thereof,

d. Articles of Confederation "> The Constitution"

e. The Articles of Association

f. The Constitution or the Five>Union Nations.

INTRODUCTION

The Affiant(s) [i.e. the Preamble people of the United States ex rel. Unika R. Ivory-Bey et al.] Is seeking a Vacate of Void Judgments and Information on the Nature of Replevin Action for Recovery of Property, et al., against the Respondents, Road One Towing, and Charging that the Respondent(s)have no claim or superior claim to the property of the Affiant and also charging the Respondent(s) in failing in oath and duty to follow the law in all proceedings necessary to protect the rights, interest and Republican Form of Government of the Preamble People and natural born Citizens of the United States of America.

The Affiant has previously and respectfully attempted to have Respondent(s)show the lawful cause, if any, how Respondent(s) received the power to and to show how Respondent(s) lawfully acquired the right to claim Affiants property without contract; and also to show that the Respondents Civil Service agreement, inter alia., has been aborted Constitutionally, Lawfully and Legally to its Principal.

The C.U.S.A. is not retroactive, **Cutting v.Taylor**, 3 SD 11, 51 NW 949, 15 LRA 691.

However, the **"Constitution for the United States of America...** was ordained and established by people of the United states for themselves, for their own government, and not for government of individual states **Barron v. Baltimore**, (1883)32 US 243, 8L Ed. 672. **"By Constitution,** government is ordained and established for United States of America, and not for **countries outside of its limits*-".** Re Ros (1891) 140 US 453, 35 LEd. 581, 11 S. Ct 897.

"Preamble of Statute, though not constituting "legislation", is to be considered in determining Constitutionality" **Carter Cole Co.** (1936) 298 US 238, 80L Ed. 1160, 56 S.Ct. 855, and to give them paramount and supreme authority: **Martin v. Hunter's Lessee,** (1816) 14 US 304, 4 L Ed 97.

Therefore, this Writ is to Stop all illegal, unlawful and unconstitutional acts and violations upon Affiant by ROADONE TOWING.

ABOUT AFFIANT: UNIKA: RENEE: IVORY- BEY:

Unika R. Ivory-Bey, Preamble-Entitled, is Hakhdar, et al,

i.e.

1. Superior Claimant
2. Preamble —Aboriginal Natural born Citizens of the United States
3. National of The United States
4. Free Inhabitant Citizen of the, prior to 1776-Present non-partisan Republican Form of [State] Government Protected and guaranteed by the C.U.S.A.
5. Prior-Entitled Individual
6. Priori Petenti Individual
7. Amicus Curia
8. Preamble-natural born citizen of the United States [of America]. The phrase "natural born Citizen" has several different legal meanings (1) therefore; it is crucial that the Affiant(s) clarify to this court what is the "live" and living meaning of the twin Preamble-natural born Citizen of the United States [of America] within the Preamble to and C.U.S.A. "ordinarily".

JUDICIAL NOTICE:

Further, any and all acting judges and judicial officers are bound by their honor, oath and constitutional provisions to dismiss themselves if they are prejudice to the Affiant in any and all ways.

Congressional Quote:

"The General Government have not legitimately, and were never intended to have, any jurisdiction or authority over the subject of PROPERTY [>Rights, and personal property]... are questions which were never intended to be entrusted to the General [Preamble and Articles 1-7] Government.

STATEMENT OF FACTS

Moreover, any abuse of process or malicious prosecution by and judicial officer towards or against the Affiants, in any manner for any reason, is a conspiracy pursuant to and triable under Title 18, U.S.C. § 241 [including the Partisan-Political Campaign Municipal States governments' Respondents' conspiring to commit offenses or to defraud the United States of America, In The Family of Nations, 18 U.S.C. § 3717]; and Title 42, U.S.C. § 1983; § 1985; § 1986; Title 8, U.S.C.S. §1503(a) and Article 4 § 4, C.U.S.A.

PROCEDURAL HISTORY OF WRITS

This Writ of Replivin does provide a means to obtain relief from and to prevent the unwarranted assumption of power by any individual, person, or municipal corporation or "Agency of the State of California" [Title 5, U.S.C.S. § 1501(2)], inter alia., [**People v. Chicago**, 413 Ill 83, 108 NE2nd 16, **State v. Wichita,** 188 Kan 1, 360 P2d 186, **State v. Tucker,** 180 Mo 205, 79 SW 1195, **Whitten v. Chapman,** 45 Idaho, 653, 264, 877, **Mason v.Tapel,** 71 AD2d 1050, 420 NYS2d 802, **State v. Benfield,** 231 NC 633, 58 SE2d 636, **State v. Brown,** 157 Tenn. 39 6 SW2d 560, **Tonkin v. Kenworthy,** 112 NJL 274, 170 A 233], including action to secure possessions of **Affiant,** additionally, to Recover immediately all Property belonging the Affiant.

CURRENT EMERGENCY RELIEF SOUGHT

1. Writ of Replevin

Therefore, this Writ of Action is for the Total and True Replevin Recovery of Property belonging to Affiant.

DISCOVERY:

According to Title 28, U.S.C., Rules of Civil Procedure, 26(b)(1) and 36 the Affiant(s) has the right to view the following genuine and authentic requested papers, documents or copies thereof:

1. Papers showing the suspension of the Constitution of the United States of America, if suspended.
2. The Civil Service Agreement between the Affiant and the Respondent(s).
3. All Declarations pertaining to these two California States.
8. How to access funds, financial assistance, support or otherwise to sustain, maintain and protect Affiant during these present conditions.

REOUESTED RELIEF

The Affiant(s) seeks relief in accordance with and pursuant to The Constitution of the United States of America, i.e. in part to:

A. Preamble to the Constitution of the United States

B. Constitution, Art. 2, § 1, Clause 5 & 6.

C. Constitution, Art. 4, § 3, Clause 2 & 4.

D. Constitution, Art. 6

E. 3 U.S.C.S., § 19 (d) (2)

F. Articles of Confederation

Equitable Relief

1. Irreparable - Injury Rule

2. Injunctions

a. Affirmative Mandatory

b. Ex parte

c. Preventative

d. Reparative

e. Preliminary

3. Specific Performance Relief

a. Cumulative remedy

b. Provisional Remedy

c. Specific Remedy

d. Speed Remedy and

e. Monetary Relief

4. A writ of

a. Equitable Estoppels

b. Estoppels by silence

c. Covenant

4. Writs and Estoppels:

1. Writ of Replevins.
2. Writ of Detinue.
3. Writ of Execution.
4. Writ of Possession.
5. Writ of Prevention.
6. and any and other Papers, in the Truth/HaKh of the Law to correct any and all

violations of the Constitutions and the Laws of the United States; and as far as possible to Lawfully, Legally and Morally Correct the wrongs in the present, past and future committed against the Affiant(s) by the Respondent(s). Further, Affiant respectfully prays to the Court for a Writ of Equitable Estoppels against Respondents in the following estoppels:

1. Estoppels by Representation
2. Estoppels by Intent
3. Estoppels by Fraud
4. Estoppels by Legal Estoppels

None of the aforementioned unlawful acts against the Affiant have been or is being or otherwise corrected by any individuals or group(s) of the Respondent(s). Due to the situation you r immediate attention to this matter is paramount, Affiant prays to the court for the immediate issuance of the court orders for this replevin action. The Affiant is praying for the issuance of court orders within five (5) days from the date of this filing. Affiant thanks the court in advance for the immediate attention to this matter.

EXHIBITS:

1. WRIT OF REPLEVIN (FILED FEB. 20TH, 2008 @11:39 AM)
2. AMENDED WRIT OF REPLEVIN (FILED MAR. 3RD, 2008 @ 10:13AM)
3. 5 COPIES OF U.S. JUSTICE DEPARTMENT FORM USM-285

Dated this 30th day of May, 2008

In Care of
non-domestic
THREE-FIVE-EIGHT-EIGHT K Street
San Diego, California, united States of America
DMM Reg. Sec. 122.32;Public Law 91-375, Sec.403
[illegible]lika: Renee: Ivory-Bey:

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17. **Self-Help**- Taking an action in person or by a representative with legal consequences, whether the action is legal or not; (Self-Help Repossession) - i.e. without judicial process of goods by creditor is permitted under U.C.C. 9-503 (now 9-609), if such can be done "without breach of the peace".

18. **Extrajudicial**- that which is done, given, or affected outside the course of regular judicial proceedings. Not founded upon, or unconnected with, the action of a court of law, as e.g. extrajudicial evidence, or an extrajudicial oath. That which, through done in the course of regular judicial proceedings, is unnecessary to such proceedings, or interpolated, or beyond their scope, as an extrajudicial opinion (dictum). That which does not belong to the judge or his jurisdiction, notwithstanding fact that he take cognizance of it.

19. **Extrajudicial Evidence**- that which is used to satisfy private persons as to facts requiring proof.

20. **Self-Executing Judgments-** Those requiring no affirmative action under process issued by the court to execute them.

21. **Special**- Relating to or designating a species, kind, individual, thing, or sort; designed for a particular purpose; confined to a particular purpose, object, person, or class. Unusual, extraordinary.

22. **Private Act**- Are those made by private persons as registers in relation to their receipts and expenditures, schedules, acquittances, and the like.

23. **Administrative Procedure Act-** (federal) law enacted in 1946 (60 Stat. 237, 5 U.S.C.A.) governing practice and proceedings before federal administrative agencies. (State) Individual states have enacted variations of the Federal Act, e.g. M.G.L.A. (Mass.) C. 30A. Such acts govern proceedings for State administrative agencies.

24. **Administrative Law**- Body of law created by administrative agencies in form of rules, regulations, orders, and decisions.

25. **Administrative Procedure**- methods and processes administrative agencies as distinguished from judicial procedure which applies to courts. Procedural rules and regulations of most federal agencies are set forth in the Code of Federal Regulations.

26. **Administrative Remedy**- Non-judicial remedy provided by agency, board, commission, or the like. In most instances, all administrative remedies must have been exhausted before a court will take jurisdiction of a case; e.g. U.S. District Courts will not consider a Social Security Case unless all hearing, appeal, etc. remedies before the Social Security Administration have been exhausted.

27. **Conflict of Laws**- Inconsistency or difference between the laws of different states or countries, arising in the case of persons who have acquired rights, incurred obligations, injuries or damages, or made contracts, within the territory of two or more jurisdictions. Hence, that branch of jurisprudence arising from the diversity of the laws of different nations, states or jurisdictions, in their application to rights and remedies, which reconciles the inconsistency, or decides which law system is to govern in the particular case, or settles the degree of force to be accorded to the law of another jurisdiction, (the acts or rights in question having arisen under it) either where it varies from the domestic law, or where domestic law is silent or not exclusively applicable to the case in point.

28. **Special Act**- A private statute; an act which operates only upon particular persons or private concerns. Unity v. Burrage, 103 U.S. 447, 454, 26 L. Ed. 405.

29. Special Execution- A copy of a judgment with a direction to the sheriff indorsed thereon to execute it. One that directs levy upon some special property.

30. **Special Law**- One relating to particular persons or things; one made for individual cases or for particular places or districts; one operating upon a selected class, rather than upon the public generally. A private law. A law is "special" when it is different from others of the same general kind or designated for a particular purpose, or limited in range or confined to a prescribed field of action or operation. A special law is one which relates to particular persons or things of a class, or which operates on or over a portion of a class instead of all the class. Ulrich v. Beatty, 139 Ind. App. 174, 216 N.E. 2d 737, 746. A special law applies only to an individual number of individuals out of a single class similarly situated and affected, or to a special locality. Board of County Com'rs of Lemhi County v. Swensen, Idaho, 80 Idaho 198, 327 P.2d 361, 362.

11. **National Constitution**. Free National Constitution includes, in part:

a. The Constitution of the United States.

b. The Constitution for the United States of America

c. The "Preamble" to and Article one though seven of the Constitution of/for the United States> including Article 6, sec. I thereof,

d. Articles of Confederation "> The Constitution"

e. The Articles of Association

f. The Constitution or the Five>Union Nations.

INTRODUCTION

The Affiant(s) [i.e. the Preamble people of the United States ex rel. Unika R. Ivory-Bey et al.] Is seeking a Vacate of Void Judgments and Information on the Nature of Replevin Action for Recovery of Property, et al., against the Respondents, Road One Towing, and Charging that the Respondent(s)have no claim or superior claim to the property of the Affiant and also charging the Respondent(s) in failing in oath and duty to follow the law in all proceedings necessary to protect the rights, interest and Republican Form of Government of the Preamble People and natural born Citizens of the United States of America.

The Affiant has previously and respectfully attempted to have Respondent(s)show the lawful cause, if any, how Respondent(s) received the power to and to show how Respondent(s) lawfully acquired the right to claim Affiants property without contract; and also to show that the Respondents Civil Service agreement, inter alia., has been aborted Constitutionally, Lawfully and Legally to its Principal.

The C.U.S.A. is not retroactive, **Cutting v.Taylor**, 3 SD 11, 51 NW 949, 15 LRA 691.

However, the **"Constitution for the United States of America...** was ordained and established by people of the United states for themselves, for their own government, and not for government of individual states **Barron v. Baltimore**, (1883)32 US 243, 8L Ed. 672. **"By Constitution,** government is ordained and established for United States of America, and not for **countries outside of its limits*-"**. Re Ros (1891) 140 US 453, 35 LEd. 581, 11 S. Ct 897.

"Preamble of Statute, though not constituting "legislation", is to be considered in determining Constitutionality" **Carter Cole Co.** (1936) 298 US 238, 80L Ed. 1160, 56 S.Ct. 855, and to give them paramount and supreme authority: **Martin v. Hunter's Lessee,** (1816) 14 US 304, 4 L Ed 97.

Therefore, this Writ is to Stop all illegal, unlawful and unconstitutional acts and violations upon Affiant by ROADONE TOWING.

ABOUT AFFIANT: UNIKA: RENEE: IVORY- BEY:

Unika R. Ivory-Bey, Preamble-Entitled, is Hakhdar, et al,

i.e.

1. Superior Claimant
2. Preamble —Aboriginal Natural born Citizens of the United States
3. National of The United States
4. Free Inhabitant Citizen of the, prior to 1776-Present non-partisan Republican Form of [State] Government Protected and guaranteed by the C.U.S.A.
5. Prior-Entitled Individual
6. Priori Petenti Individual
7. Amicus Curia
8. Preamble-natural born citizen of the United States [of America]. The phrase "natural born Citizen" has several different legal meanings (1) therefore; it is crucial that the Affiant(s) clarify to this court what is the "live" and living meaning of the twin Preamble-natural born Citizen of the United States [of America] within the Preamble to and C.U.S.A. "ordinarily".

JUDICIAL NOTICE:

Further, any and all acting judges and judicial officers are bound by their honor, oath and constitutional provisions to dismiss themselves if they are prejudice to the Affiant in any and all ways.

Congressional Quote:

"The General Government have not legitimately, and were never intended to have, any jurisdiction or authority over the subject of PROPERTY [>Rights, and personal property]... are questions which were never intended to be entrusted to the General [Preamble and Articles 1-7] Government.

STATEMENT OF FACTS

Moreover, any abuse of process or malicious prosecution by and judicial officer towards or against the Affiants, in any manner for any reason, is a conspiracy pursuant to and triable under Title 18, U.S.C. § 241 [including the Partisan-Political Campaign Municipal States governments' Respondents' conspiring to commit offenses or to defraud the United States of America, In The Family of Nations, 18 U.S.C. § 3717]; and Title 42, U.S.C. § 1983; § 1985; § 1986; Title 8, U.S.C.S. §1503(a) and Article 4 § 4, C.U.S.A.

PROCEDURAL HISTORY OF WRITS

This Writ of Replivin does provide a means to obtain relief from and to prevent the unwarranted assumption of power by any individual, person, or municipal corporation or "Agency of the State of California" [Title 5, U.S.C.S. § 1501(2)], inter alia., [**People v. Chicago**, 413 Ill 83, 108 NE2nd 16, **State v. Wichita,** 188 Kan 1, 360 P2d 186, **State v. Tucker,** 180 Mo 205, 79 SW 1195, **Whitten v. Chapman,** 45 Idaho, 653, 264, 877, **Mason v.Tapel,** 71 AD2d 1050, 420 NYS2d 802, **State v. Benfield,** 231 NC 633, 58 SE2d 636, **State v. Brown,** 157 Tenn. 39 6 SW2d 560, **Tonkin v. Kenworthy,** 112 NJL 274, 170 A 233], including action to secure possessions of **Affiant,** additionally, to Recover immediately all Property belonging the Affiant.

CURRENT EMERGENCY RELIEF SOUGHT

1. Writ of Replevin

Therefore, this Writ of Action is for the Total and True Replevin Recovery of Property belonging to Affiant.

DISCOVERY:

According to Title 28, U.S.C., Rules of Civil Procedure, 26(b)(1) and 36 the Affiant(s) has the right to view the following genuine and authentic requested papers, documents or copies thereof:

1. Papers showing the suspension of the Constitution of the United States of America, if suspended.
2. The Civil Service Agreement between the Affiant and the Respondent(s).
3. All Declarations pertaining to these two California States.
8. How to access funds, financial assistance, support or otherwise to sustain, maintain and protect Affiant during these present conditions.

REOUESTED RELIEF

The Affiant(s) seeks relief in accordance with and pursuant to The Constitution of the United States of America, i.e. in part to:

A. Preamble to the Constitution of the United States

B. Constitution, Art. 2, § 1, Clause 5 & 6.

C. Constitution, Art. 4, § 3, Clause 2 & 4.

D. Constitution, Art. 6

E. 3 U.S.C.S., § 19 (d) (2)

F. Articles of Confederation

Equitable Relief

1. Irreparable - Injury Rule

2. Injunctions

a. Affirmative Mandatory

b. Ex parte

c. Preventative

d. Reparative

e. Preliminary

3. Specific Performance Relief

a. Cumulative remedy

b. Provisional Remedy

c. Specific Remedy

d. Speed Remedy and

e. Monetary Relief

4. A writ of

a. Equitable Estoppels

b. Estoppels by silence

c. Covenant

4. Writs and Estoppels:

1. Writ of Replevins.

2. Writ of Detinue.

3. Writ of Execution.

4. Writ of Possession.

5. Writ of Prevention.

6. and any and other Papers, in the Truth/HaKh of the Law to correct any and all violations of the Constitutions and the Laws of the United States; and as far as possible to Lawfully, Legally and Morally Correct the wrongs in the present, past and future committed against the Affiant(s) by the Respondent(s). Further, Affiant respectfully prays to the Court for a Writ of Equitable Estoppels against Respondents in the following estoppels:

1. Estoppels by Representation

2. Estoppels by Intent

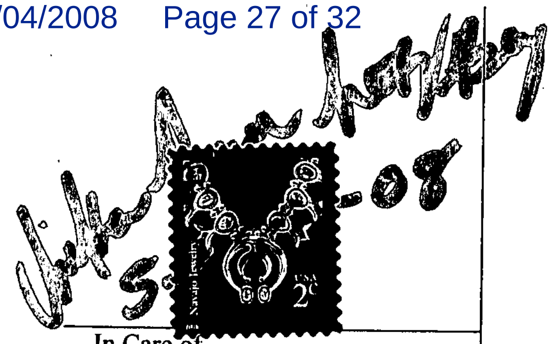
3. Estoppels by Fraud

4. Estoppels by Legal Estoppels

None of the aforementioned unlawful acts against the Affiant have been or is being or otherwise corrected by any individuals or group(s) of the Respondent(s). Due to the situation you r immediate attention to this matter is paramount, Affiant prays to the court for the immediate issuance of the court orders for this replevin action. The Affiant is praying for the issuance of court orders within five (5) days from the date of this filing. Affiant thanks the court in advance for the immediate attention to this matter.

EXHIBITS:

1. WRIT OF REPLEVIN (FILED FEB. 20^{TH}, 2008 @11:39 AM)
2. AMENDED WRIT OF REPLEVIN (FILED MAR. 3^{RD}, 2008 @ 10:13AM)
3. 5 COPIES OF U.S. JUSTICE DEPARTMENT FORM USM-285



Dated this 30th day of May, 2008

In Care of
non-domestic
THREE-FIVE-EIGHT-EIGHT K Street
San Diego, California, united States of America
DMM Reg. Sec. 122.32;Public Law 91-375, Sec.403
...ilka: Renee: Ivory-Bey.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See *"Instructions for Service of Process by U.S. Marshal"*

PLAINTIFF :Unika:Renee:Ivory-Bey:	COURT CASE NUMBER 08mc77
DEFENDANT ROADONE TOWING	TYPE OF PROCESS Writ of Replevin and Execution

SERVE AT
NAME OF INDIVIDUAL, COMPANY, CORPORATION. ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
ROADONE TOWING 123 35th Street San Diego,CA 92102
ADDRESS *(Street or RFD, Apartment No., City, State and ZIP Code)*
[Property to be retrieved 1993 Ford Thunderbird LX 2-door Smoke Grey VIN# 1FAPP6244PH207148]

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

:Unika:Renee:Ivory-Bey:
In Care Of:
Non-Domestic
3588 K Street
San Diego,California [92102]

Number of process to be served with this Form 285	1
Number of parties to be served in this case	1
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE ***(Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):***

Fold | Fold

(858) 492-5252 MAIN OFFICE Address 3821 Calle Fortunada #A
San Diego, CA 92123 Hours of Operation M-F 8am-4:30pm
Please notify Plaintiff 24 hours in advance so that she can meet you at the location listed above to obtain her property and conduct an inspection of the automobile in the presence of the Marshal. If the property is not there please obtain the information on date of sale/or disposal and who the automobile was sold to if sold and the buyer's information

~~Signature of Attorney other Originator requesting service on behalf of:~~	☒ PLAINTIFF ☐ DEFENDANT	TELEPHONE NUMBER (619)232-0653	DATE 5/30/08

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. *(Sign only for USM 285 if more than one USM 285 is submitted)*	Total Process	District of Origin No.____	District to Serve No.____	Signature of Authorized USMS Deputy or Clerk	Date

I hereby certify and return that I ☐ have personally served , ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual , company, corporation, etc., at the address shown above on the on the individual , company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above *(See remarks below)*

Name and title of individual served *(if not shown above)*	☐ A person of suitable age and discretion then residing in defendant's usual place of abode
Address *(complete only different than shown above)*	Date / Time ☐ am ☐ pm Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges including *endeavors)*	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
				$100.00	

REMARKS:

PRINT 5 COPIES:
1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285
Rev. 12/15/80
Automated 01/00

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF	COURT CASE NUMBER
:Unika:Renee:Ivory-Bey:	08mc77
DEFENDANT	TYPE OF PROCESS
ROADONE TOWING	Writ of Replevin and Execution

SERVE AT
NAME OF INDIVIDUAL, COMPANY, CORPORATION. ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
ROADONE TOWING 123 35th Street San Diego,CA 92102
ADDRESS *(Street or RFD, Apartment No., City, State and ZIP Code)*
[Property to be retrieved 1993 Ford Thunderbird LX 2-door Smoke Grey VIN# 1FAPP6244PH207148]

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

:Unika:Renee:Ivory-Bey:
In Care Of:
Non-Domestic
3588 K Street
San Diego,California [92102]

Number of process to be served with this Form 285	1
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Signature of Attorney other Originator requesting service on behalf of:		TELEPHONE NUMBER	DATE
	☒ PLAINTIFF ☐ DEFENDANT	(619)232-0653	5/30/08

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		No.	No.		

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Address *(complete only different than shown above)*

Date

Time ☐ am ☐ pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges including *endeavors)*	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
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Form USM-285
Rev. 12/15/80
Automated 01/00

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See *"Instructions for Service of Process by U.S. Marshal"*

PLAINTIFF :Unika:Renee:Ivory-Bey:	COURT CASE NUMBER 08mc77
DEFENDANT ROADONE TOWING	TYPE OF PROCESS Writ of Replevin and Execution

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NAME OF INDIVIDUAL, COMPANY, CORPORATION. ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
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[Property to be retrieved 1993 Ford Thunderbird LX 2-door Smoke Grey VIN# 1FAPP6244PH207148]

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:Unika:Renee:Ivory-Bey: In Care Of: Non-Domestic 3588 K Street San Diego,California [92102]	Number of process to be served with this Form 285	1
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Signature of Attorney other Originator requesting service on behalf of:	☒ PLAINTIFF ☐ DEFENDANT	TELEPHONE NUMBER (619)232-0653	DATE 5/30/08

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Rev. 12/15/80
Automated 01/00

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See *"Instructions for Service of Process by U.S. Marshal"*

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Signature of Attorney other Originator requesting service on behalf of:	☒ PLAINTIFF ☐ DEFENDANT	TELEPHONE NUMBER	DATE
		(619)232-0653	5/30/08

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Name and title of individual served *(if not shown above)*

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Address *(complete only different than shown above)*

Date

Time ☐ am ☐ pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges including *endeavors)*	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
				$100.00	

REMARKS:

PRINT 5 COPIES:
1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285
Rev. 12/15/80
Automated 01/00